UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

INDICTMENT

-v.-

07 Cr.

DENNIS ELLINGTON,

Defendant.

07CKIM 947

COUNT ONE

The Grand Jury charges:

On or about July 4, 2007, in the Southern District of New York and elsewhere, DENNIS ELLINGTON, the defendant, after having been previously convicted in a court of a crime punishable by imprisonment for a term exceeding one year, to wit, a conviction on or about November 16, 2005, in Bronx County Supreme Court for criminal possession of a loaded firearm in the third degree, in violation of New York Penal Law 265.02(4), unlawfully, willfully, and knowingly did possess in and affecting commerce a firearm, to wit, a loaded .38 caliber Davis Industries Derringer pistol, which had previously been shipped and transported in interstate commerce.

(Title 18, United States Code, Section 922(g)(1).)

FOREPERSON

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MICHAEL J. G

United States Attorney

USDC SDNY

DOCUMENT

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DOC #:

DATE FILED: OCT 1 0 2007

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- v -

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## INDICTMENT

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(18 U.s.c. \$ 922(g)(1))

MICHAEL J. GARCIA United States Attorney.

TRUE BILL

Foreperson

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M.J. Holy